

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH MARTIN,)	
)	CASE NO. C12-2179-RSL-MAT
Petitioner,)	
)	
v.)	
)	ORDER ACCEPTING
JEFFREY UTTECHT,)	MEMORANDUM AND GRANTING
)	RESPONDENT EXTENSION OF
Respondent.)	TIME TO ANSWER
_____)	

Petitioner Kenneth Martin proceeds *pro se* in this habeas corpus matter pursuant to 28 U.S.C. § 2254. Petitioner filed a motion to accept a memorandum of law in support of his habeas petition. (Dkt. 7.) Respondent objects to the memorandum as filed six weeks after the habeas petition and shortly before the due date of respondent's answer. (Dkt. 8.) Respondent alternatively requests, if the memorandum is accepted, that the Court grant a forty-five day extension of time for the filing of the answer. Having considered the motion, the response, and the balance of the record, the Court does hereby find and ORDER as follows:

(1) Although petitioner failed to explain the late filing of his memorandum, the

01 Court concludes that it should be considered by respondent in the filing of the answer.
02 Petitioner's motion to accept a memorandum of law in support of his habeas petition (Dkt. 7) is,
03 accordingly, GRANTED. In so doing, the Court further finds respondent entitled to an
04 extension of time to respond to the petition and memorandum. Respondent must file his
05 answer to the petition on or before **March 28, 2013**.

06 (2) The Clerk shall direct copies of this Order to the parties and to the Honorable
07 Robert S. Lasnik.

08 DATED this 4th day of February, 2013.

09
10 
11 Mary Alice Theiler
United States Magistrate Judge